

Table 5. Draft Environmental Justice Analysis Specific Comments

No.	Page	Section	Type
J1	18	3.4.1	T, I
J2	21	4.0	T
J3	21	4.0	T
J4	22	4.0	C
J5	22	4.0	E
J6	22	4.0	C
J7	22	4.0	C
J8	23	4.0 Figure 5	A
J9	24	4.0 Table 12	C
J9 Cont			
J0 Cont			

Comment and Requested Modification

Powertech requests correcting the following typographical error, for consistency with Table 8:

The U.S. ~~mean~~ median death rate per 100,000 people due to unintentional injury is 50.8 ~~27.3~~.

In the 1st paragraph under this section, last line, Powertech requests changing “Figure 2” to “Figure 1”.

In the 2nd paragraph, 1st sentence, Powertech requests removing “draft” in “The EPA is proposing to issue two UIC ~~draft~~ permits” since the draft permits have been issued.

Waste generated on site will be 11e.(2) byproduct material regulated by NRC, not hazardous waste according to RCRA. The statement at the top of this page that the waste fluids will undergo “treatment to meet ... hazardous waste standards” implies that hazardous fluid exists on site. Language in the draft permit already prohibits injection of hazardous waste into the Class V wells. Powertech requests removing references that characterize site waste as hazardous waste because this is not accurate; it is 11e.(2) byproduct material.

In the 1st full paragraph on this page, the statement is made that “Certain types of UIC permits have been identified as priority permits, including permits for Class V deep injection wells and Class III ISR wells” by EPA Region 8 “due to the potential for significant public health or environmental impacts.” In light of the evidence that there has never been an off-site impact to non-exempt groundwater after decades of uranium ISR operation in the U.S., Powertech requests explanation as the source of this “potential for significant public health or environmental impact.”

In the last paragraph in this page, 1st sentence, the statement is made that there will be “approximately 4,000 Class III injection wells.” As described in comment #E1 in Table 3, Powertech currently estimates that approximately 1,461 injection wells will be required over the life of the project. Powertech requests updating this statement as follows: The project will involve the injection of lixiviant, consisting of injection-interval groundwater with added oxygen and carbon dioxide, into the uranium ore deposits targeted by 14 wellfields (shown in Figure 5) containing approximately 1,461 ~~4,000~~ Class III injection wells.

In the last paragraph in this page, Powertech requests correcting the order of wellfield development as follows (refer to comment #F8 in Table 2 and #C25 in Table 4):

It is the EPA’s understanding that one wellfield in the Dewey Area and one wellfield in the Burdock Area will be active, while one wellfield in each area may be undergoing groundwater restoration and one wellfield in each area may be undergoing construction). Alternately, Powertech may develop either the Burdock or Dewey wellfields first, followed by those in the other area.

Please refer to **Attachment A-10** for specific comments related to the currently proposed aquifer exemption boundary and a proposed alternate solution. Powertech requests updating Figure 5 and the associated text to incorporate the proposed alternate solution.

Powertech requests the following updates to Table 12 to document the hearing process for the water appropriation permits and groundwater discharge plan. Powertech also requests clarification that the NPDES permit is associated with storm water pollution prevention and not surface discharge of any process wastewater. Powertech also requests correction of the specific NRC license type (refer to Exhibit 016). Requested changes are shown below.

Table 12. Additional State and Federal Permits Powertech is required to obtain.

Issuing Agency	Description	Status
South Dakota	Uranium Exploration Permit	Application submitted July 2009, approved by
	Discharge Permit (Stormwater Nichemah)	

EPA Notes/Response

J10	25	5.0	C
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J11	27	6.2	T
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J12	30	10.0	C
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T I C V S	U.S. Nuclear Regulatory Commission	Source and Byproduct Material License (10 CFR Part 40)	Submitted August 10, 2009. Final license issued April 8, 2014	ny
	U.S. Bureau of Land Management	Plan of Operations	Application submitted August 2009; revised document submitted January 2011 and under review.	g the
	US Army Corps of Engineers	Clean Water Act Section 404 Permit	Application not yet submitted	
T S C I T R C I a z			the State Water Management Board has decided the water rights.	
	Water Appropriation Permits • Madison • Inyan Kara		Applications submitted June 2012; recommended for approval November 2012; hearing held Fall 2013; further hearings and process postponed until the NRC and the EPA have completed their actions.	ot
	Air Quality Permit		Application submitted November 2012; SDDENR determined that an operating air permit will not be required, February 2013.	ve ation
	Groundwater Discharge Plan		Application submitted March 2012; recommended for approval December 2012; hearing held Fall 2013; further hearings and process postponed until the NRC and the EPA have completed their actions.	the on
	National Pollutant Discharge Elimination System Water		Application not yet submitted.	on-

exempt groundwater after decades of uranium ISR operations in the U.S. These include, but are not limited to, excursion monitoring/corrective actions, maintaining hydraulic control of each wellfield and conducting groundwater restoration in accordance with NRC or Agreement State requirements. To Powertech's knowledge, all currently operated ISR facilities are required to monitor private wells in proximity to their projects, yet comment #G-1 describes how no impacts to private wells have ever been documented. Therefore, no additional monitoring is needed to protect private wells in the vicinity of the Dewey-Burdock Project. See also Attachment A-3, which proposes to use geochemical modeling using site-specific data to verify that there will be no endangerment to non-exempt aquifers.

